DOCUMENT RESUME

ED 381 101 HE 028 239

AUTHOR Andersen, Charles J.
TITLE Academics Bargaining Collectively: Some ABCs.
INSTITUTION American Council on Education, Washington, D.C. Div. of Policy Analysis and Research.
PUB DATE 91
NOTE 14p.
AVAILABLE FROM Publications, American Council on Education, One Dupont Circle, N.W., Washington, DC 20036 (single copy, $10; annual subscription, $58; 10 percent member discount).
PUB TYPE Collected Works - Serials (022) -- Statistical Data (110)
JOURNAL CIT Research Briefs; v2 n2 1991

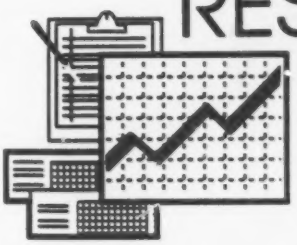
EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Collective Bargaining; *College Faculty; Economic Factors; *Faculty College Relationship; Higher Education; *Incidence; *Negotiation Agreements; Participant Satisfaction; Private Colleges; Public Colleges; Tables (Data); Two Year Colleges

ABSTRACT

This research brief presents data concerning collective bargaining in higher education, to indicate how much collective bargaining activity is taking place, where it is, and who the principal participants are. Information is presented on how many faculty members are represented by collective bargaining agreements; the primary organizations involved (American Association of University Professors, American Federation of Teachers, and National Education Association); collective bargaining at public institutions compared to independent institutions and four-year compared to two-year institutions; geographic concentration; satisfaction with collective bargaining; and collective bargaining and the economy. Charts and figures show number of bargaining agents and agreements from 1975 to 1989; number of collective bargaining agents by state; number of agreements, by organization and control of institution, and by organization and type of institution; and faculty represented, by bargaining agent and type of institution. Implications of the findings are discussed. Contains four end notes, seven data resources, and six references. (JDD)

**********
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
**********

ED 381 101



RESEARCH BRIEFS Volume 2, Number 2 • 1991

*Division of Policy Analysis and Research*
*American Council on Education, Washington, D.C.*

# Academics Bargaining Collectively: Some ABCs

**Charles J. Andersen***

HE 028 239

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☐ This document has been reproduced as received from the person or organization originating it.

☑ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Div of Policy Analysis & Research, American Council on Education

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

RESEARCH BRIEFS Volume 2, Number 2 • 1991

*Division of Policy Analysis and Research*
*American Council on Education, Washington, D.C.*

# Academics Bargaining Collectively: Some ABCs

**Charles J. Andersen***

Collective bargaining in academe is less than 30 years old, yet the number of faculty and professional staff represented by the nation's 470 collective bargaining agents is equal to about 30 percent of higher education's instructional faculty. Nearly all the faculty represented by bargaining agents are at public institutions; two-fifths are at two-year colleges. Collective bargaining activity at independent institutions, never widespread, was brought to a standstill by the U.S. Supreme Court's 1980 decision in the *Yeshiva* case.

Most of today's collective bargaining agreements were initiated during the 1970s, when the average constant 1970 dollar salaries of faculty dropped from $13,284 to $10,844. Only about 50 new agents were elected during the 1980s, when constant dollar faculty salaries increased modestly. Growth or stasis in public sector academic collective bargaining may depend largely on the economic condition of the professoriate. However, organizing in 24 states will continue to be restricted by the lack of authorization for public sector collective bargaining.

This research brief shows some recent data concerning collective bargaining in higher education. It does not examine the underlying philosophy, theory, or practice of collective bargaining, or argue its pros and cons; instead, its purpose is to indicate how much activity is taking place, where it is, and who the principal participants are. It also presents some implications drawn from those data.

## HIGHLIGHTS

- In 1989 there were nearly 470 collective bargaining agents and about 450 collective bargaining agreements in effect at colleges and universities.
- Approximately 217,000 faculty and other professional staff were represented by collective bargaining agents. This accounts for between one-quarter and one-third of the nation's teaching faculty.
- Most (85 percent) of the collective bargaining agents and agreements were at public institutions.
- Nearly all (95 percent) of the faculty and professional staff represented by bargaining agents were employed at public institutions.
- More than two-thirds of the bargaining agents (69 percent) and bargaining agreements (70 percent) were at two-year institutions.
- About two-fifths of the faculty and professional staff represented by collective bargaining agents were employed by two-year colleges.
- Over half of the collective bargaining agents, agreements, and employees covered are in five states — California, New York, Illinois, Michigan, and New Jersey.
- With the exception of Florida, no state in the Southeast has any collective bargaining agent or agreement.
- The largest number of bargaining agents were elected and the largest number of bargaining agreements were signed in the 1970s — a decade that saw a decline in the constant dollar value of the average faculty salary.
- Election of new collective bargaining agents has slowed in recent years in comparison with the 1970s, when the number of agents more than quadrupled.

*Charles J. Andersen is a Senior Staff Associate at the American Council on Education (ACE).

- Since 1980, there has been a net increase of about 50 collective bargaining agents.

- Collective bargaining activity at independent instititutions was, in effect, brought to a standstill in 1980, when the U.S. Supreme Court upheld Yeshiva University's contention that it did not have to bargain collectively because its faculty held and exercised management functions.

## IMPLICATIONS

- If faculty living standards are threatened by pressures on state budgets and erosion in the funding of institutions of higher education, there may be renewed interest in, and organizing activity for, collective bargaining in the near future.

- Most collective bargaining agents and agreements are at two-year institutions; in the last five years more than half of the new collective bargaining agents have been elected at such institutions. This sector may be considered the most likely locus for new collective bargaining organizational activity.

- Despite the attraction of the public two-year college sector as a fruitful field for organizing, 8 of the 21 states with the largest number of public two-year institutions do not have laws that authorize public sector collective bargaining. While the absence of such laws does not necessarily prohibit collective bargaining, in practice it makes it more difficult.

- Nearly all (14 out of 17) of the agreements that cover adjunct faculty exclusively were initiated in the 1980s. As institutions under fiscal pressure use these faculty more widely, collective bargaining organizers increasingly may pursue discrete bargaining units for them.

## The Beginnings and the Recent Past

- Collective bargaining is a relatively new movement in higher education — only about a quarter of a century old.

- Some commentators set its beginning in 1969 with the election of a collective bargaining agent at the City University of New York (Carr and Van Eyck 1973, 17).

- In 1970, the National Labor Relations Board, in a change from previous practice, extended its jurisdiction to independent universities and colleges (Carr and Van Eyck 1973, 25).

## HOW TO COUNT IN COLLECTIVE BARGAINING

An answer to the question "How widespread is collective bargaining in higher education?" requires answers to several additional questions.

- How many collective bargaining **agents** are there?
- How many collective bargaining **agreements** are there?
- How many **institutions** have collective bargaining agents/agreements?
- Which and how many **faculty** are covered by bargaining agreements?
- Which **organizations** are involved in collective bargaining, and how large are they?

## Agents, Agreements, Institutions

When the faculty and/or professional staff at an institution vote that an organization conduct salary and working condition negotiations for it, another collective bargaining **agent** is added to the nation's total. But this does not necessarily produce a collective bargaining agreement. The **agreement** comes only after an institution and the agent sign a contract — an action that may take place months or even years after the agent has been elected. Thus, the number of agents has always been larger than the number of agreements. And, in a few cases, when one or the other party delayed in negotiating a contract and another certification election was held and lost, the previously elected agent never signed any collective bargaining agreement.

A collective bargaining **agreement** is the key document in the negotiating process and specifies which classes of employees are to benefit from the provisions of the agreement. It may cover all faculty at one campus. It may cover all faculty at all the campuses of a multi-campus institution. It may cover only one type of employee — full-time faculty — on only one campus. A multi-campus system may have only one agreement covering all full-time faculty at all campuses, while another institution may have two or more agreements — and agents — for a single campus. Because of these varied organizational arrangements there may be lengthy and seemingly illogical answers to the apparently simple question of how many institutions have collective bargaining agreements.

- A recent study of the nation's faculty by the U. S. Department of Education's National Center for Education Statistics (NCES) reports that collective bargaining units that include at least some full-time instructional faculty are present at 31 percent of all institutions (NCES *Policies*, 33).

- In 1972, the National Center for the Study of Collective Bargaining in Higher Education and the Professions was established as a non-profit independent research and study center operating on the campus of the Bernard M. Baruch College of the City University of New York (CUNY).

- In 1973, the Academic Collective Bargaining Information Service (ACBIS) was established in Washington, D.C. It is now a part of the Labor Studies Center of the University of the District of Columbia.

- The number of agents, agreements, campuses, and employees represented in higher education collective bargaining has increased over the last 20 years with the most vigorous growth occurring in the 1970s.

- In 1970, there were less than 75 certified bargaining **agents** in colleges and universities. At the end of that decade, there were about 425.

- In the eighties, the previous decade's rapid growth was slowed drastically, with a net increase of less than 50 agents. However, several of the agents certified in the 1980s represented large bargaining units in terms of campuses and faculty covered, e.g., the Massachusetts Community College System Division of Continuing Education and the California State University System.

- Thus, the number of individuals represented by collective bargaining rose during the eighties by much more than the 9 percent increase in the number of collective bargaining agents. (The "How to Count in Collective Bargaining" section explains how disproportionate growth rates can occur.)

- The growth pattern of signed **agreements** is roughly the same as that of the elected agents.

- From 1975 to 1980 their number increased by almost two-thirds, from 218 to 359.

- In the next five years the total reached 411, an increase of 15 percent since 1980.

- By 1989 there were 449, an increase of 9 percent over 1985 (see charts A and B).

- The number of **faculty represented** by bargaining agents has continued to grow over the past two decades, although at a slower pace in recent years. An 11 percent increase from 1985 to 1989 contrasts with the 17 percent increase from 1981 to 1985.[1]

- At 24 percent of the institutions they represent the entire full-time regular instructional faculty; at the remaining 7 percent, the bargaining units include only a portion of the institution's full-time faculty.

- The same report indicates that 14 percent of the institutions have collective bargaining units that include part-time regular faculty.

- At 9 percent of the institutions, all part-timers are represented by the bargaining agent; at 5 percent, only a portion of the part-time faculty is represented.

## Which and How Many Faculty Members Are Represented?

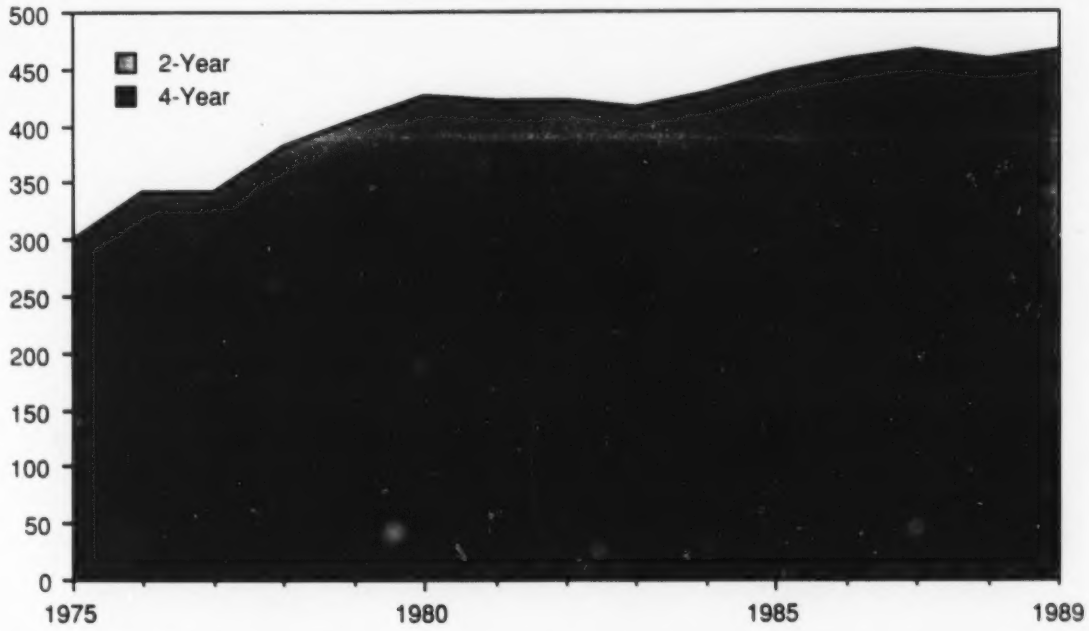
Although most collective bargaining agents represent full-time faculty, many collective bargaining agents and agreements also cover part-time faculty and nonfaculty professional personnel such as researchers, library staff, counselors, and some administrators, such as registrars. Separate bargaining units may be established for part-time or adjunct faculty, but it is not unusual for them to be included with full-time faculty. In the past, some support staff have been included in the Baruch Center's annual collective bargaining reports, but beginning in 1989, agreements for such personnel have been counted separately.

According to the Baruch Center's data, nearly 220,000 faculty and professional staff, a number equal to approximately 30 percent of the nation's professoriate, were covered by agreements in 1989 (Douglas 1990, v). The authors of the Baruch Center report acknowledge that compilation problems exist when it comes to counting faculty and other professionals represented by bargaining agents, because collective bargaining units are not usually defined in numerical terms but by position classification. Thus, the numbers may change from year to year or even from semester to semester, especially if part-time faculty are included. At present the Baruch Center queries each of the bargaining units it knows about annually. It reports that the accuracy of its data is improving year by year.

- The Baruch Center's figure of about 30 percent of faculty represented in collective bargaining agreements is reinforced by data from the NCES 1988 faculty survey. The NCES study reported that institutions at which collective bargaining units were present employed 34 percent of all full-time regular instructional faculty and 26 percent of all part-time regular faculty.

- However, this report noted that institutions at which the bargaining units represented the **entire** full-time faculty employed only 22 percent of the full-time regular faculty, and the institutions at which the bargaining units represented

**Chart A**
**Number of Bargaining Agents, by Type of Institution, 1975-89**




Source: Joel M. Douglas, *Directory of Faculty Contracts and Bargaining Agents in Institutions of Higher Education* (New York: National Center for the Study of Collective Bargaining in Higher Education and the Professions (NCSCBHEP), 1990), p. 111.

the entire half-time regular faculty employed only 14 percent of all such faculty (NCES *Policies*, 33).[1]

- Relating the number of faculty covered by collective bargaining to national faculty totals is considerably less than precise because, until recently, there has been no consistent national survey that gathers faculty data from all higher education institutions. The NCES 1988 National Survey of Postsecondary Faculty was a sample survey of about 7,500 faculty at 480 institutions. The results were weighted and produced an estimated national total of 665,000 "regular faculty" and 105,000 "temporary" (acting, adjunct, visiting) faculty (NCES *Faculty*, 91, 94-99). Still another source, the U.S. Department of Education's *Digest of Education Statistics, 1990*, shows an estimated total of 793,100 full- and part-time senior (instructor and above) instructional and research faculty for 1987 (NCES *Digest* 1990, tables 203, 205, 206). These latter data come from NCES' Integrated Postsecondary Education Data System (IPEDS).

1. Another report that resulted from the same survey shows the number of faculty covered by bargaining agreements to be 152,000 full-time regular faculty and 43,000 part-time regular faculty, a figure short of the Baruch Center's 217,000 figure. It must be remembered, however, that the Baruch Center's data includes some professional non-faculty personnel and the NCES data do not include "temporary," i.e., adjunct faculty (NCES *Faculty*, 65, 73).

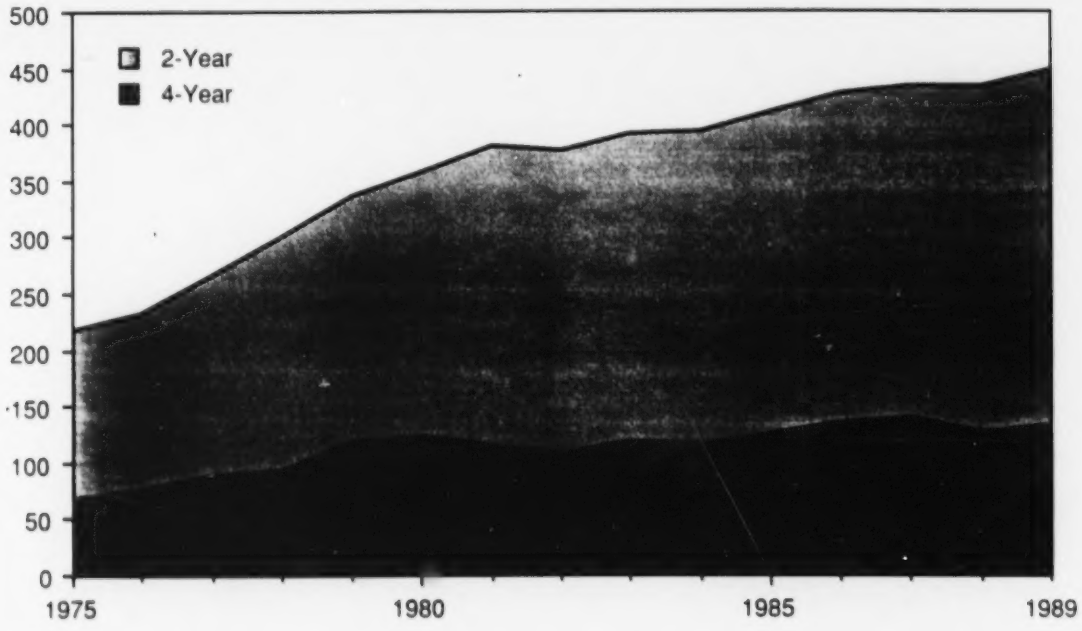
## Which Are the Organizing Organizations?

Three national organizations have played the leading role in higher education collective bargaining: the American Association of University Professors (AAUP), the American Federation of Teachers (AFT), and the National Education Association (NEA). In some cases, these organizations cooperate in organizing a certification election at an institution, but most often they compete with each other — each advertises its organizing prowess in contrast to the others'.

In the following paragraphs, membership counts show just that, i.e., the number of people that belong to the organization indicated. Figures showing faculty *represented* by collective bargaining agents show just that, i.e., the number of faculty in the bargaining unit represented by the bargaining organization indicated, whether the faculty are members of that organization or not.

AAUP reports a membership of 41,000 faculty, all of them in higher education and most at 4-year institutions. In 1989, it was the collective bargaining agent at 43 units with 40 agreements for which it was solely responsible. A total of 23,800 faculty and other professionals were represented by these agents on 85 campuses. AAUP joined with other organizing groups in 9 other bargaining agreements that represented nearly twice as many faculty, 44,300 on 70 campuses.

## Chart B
## Number of Bargaining Agreements, by Type of Institution, 1975-89




Source: Joel M. Douglas, *Directory of Faculty Contracts and Bargaining Agents in Institutions of Higher Education* (New York: National Center for the Study of Collective Bargaining in Higher Education and the Professions (NCSCBHEP), 1990), p. 111.

AFT reports a total membership of 830,000, of which 80,000 (10 percent) are in higher education institutions. In 1989, AFT was the sole bargaining agent for 135 units with 131 agreements. A total of 71,900 faculty were represented by these agents at 327 campuses. AFT joined with other organizing groups in 6 other agreements that represented 18,100 faculty on 27 campuses.

NEA reports a total membership of over 2 million, of which 79,000 (4 percent) are at institutions of higher education. In 1989, NEA was the sole bargaining agent for 225 units with 220 agreements that covered 63,600 faculty and professionals on 423 campuses. It joined with other organizing groups in 4 additional units that included 24,200 faculty on 31 campuses.

In 1989, independent collective bargaining units — usually operating on only one campus or system — were sole bargaining agents for 42 units, and had 38 agreements covering 11,000 faculty on 76 campuses. These independent groups had linked up with one or another of the three major bargaining groups in five agreements that covered 3,800 faculty on 17 campuses.

Other labor organizations, e.g., the American Federation of Government Employees, the American Federation of State, County, and Municipal Employees, were agents for nine collective bargaining units and had agreements for eight of them, covering nearly 2,000 faculty at 23 campuses in 1989.

Thus the bulk of the collective bargaining activity is conducted by the three major players, AAUP, AFT, and NEA. (See charts C and D.) AAUP's success in organizing has been principally in the four-year sector, with nine out of ten of its sole agents and agreements at those institutions. Ninety-five percent of the faculty represented by AAUP bargaining agents are in the four-year sector.

On the other hand, the largest proportion of NEA's successful activity has been in the two-year college sector. Eighty-five percent of the agreements for which it is the sole agent were at two-year institutions in 1989, and those agreements accounted for nearly two-thirds of the faculty represented by NEA agents.

AFT's pattern of agreements and representation occupy a middle ground. Two-thirds of the agreements for which it is solely responsible are at two-year colleges, but only about half of the faculty it represents and just over half of the campuses it alone has organized are in the two-year sector.

Counting heads and "crediting" them to the major collective bargaining organizations is complicated when two or more of these bargaining groups join together to win a certification election. If the joint organizing effort is successful, to which organization are the members of the bargaining unit credited? Most frequently, two tallies are made: one showing joint agents/agreements, the other showing the count of single union agents/agreements. Charts E and F show that, without careful attention to how joint agreement data are handled, comparisons can lead to overstatement.

## Collective Bargaining Today

- In 1989 there were nearly 470 certified collective bargaining agents at institutions of higher education in 30 states, the District of Columbia, and Guam. They represented an estimated 217,000 faculty and other professional staff.

- This figure is equal to one-quarter to one-third of the nation's teaching faculty in higher education, which numbers somewhere between 650,000 and 800,000 (NCES *Faculty*, 2; NCES *Digest, 1990*, 216).

- This share of the faculty covered by bargaining agreements contrasts with the 17 percent proportion of the total national labor force working under collective bargaining agreements (Douglas 1990, v.).

- Currently, 85 percent of the certified academic collective bargaining agents are at public institutions; those institutions account for the same proportion of agreements (86 percent).

- However, the number of faculty and professional employees represented by the agents at those public colleges and universities comprise an even larger share (95 percent) of all the professionals in academe covered by bargaining agreements.

- Slightly more than two-thirds (69 percent) of the elected bargaining agents are at two-year colleges; those institutions account for 70 percent of the current contracts.

- However, less than half (about 40 percent) of the faculty and professionals covered by collective bargaining are at two-year institutions.

Exact figures are difficult to determine because several of the large contracts are at systems that include both two- and four-year institutions, and the statistical reports do not permit an easy separation of the faculty by individual campus (Douglas 1990, 106, 108, 112).

## Public Institutions

Most of the collective bargaining organizing activity has taken place in the public sector. This is hardly surprising, because most faculty members are employed in public institutions, and most of the largest institutions are public. Since the U.S. Supreme Court's 1980 *Yeshiva* decision (*NLRB v. Yeshiva University*, 444 U.S. 672 [1980]), with its chilling effect on organizing in the independent sector, collective bargaining essentially has become an activity restricted to public institutions. But even before

**Chart C**
**Number of Agreements, by Organization and Control of Institution, 1981 and 1989**

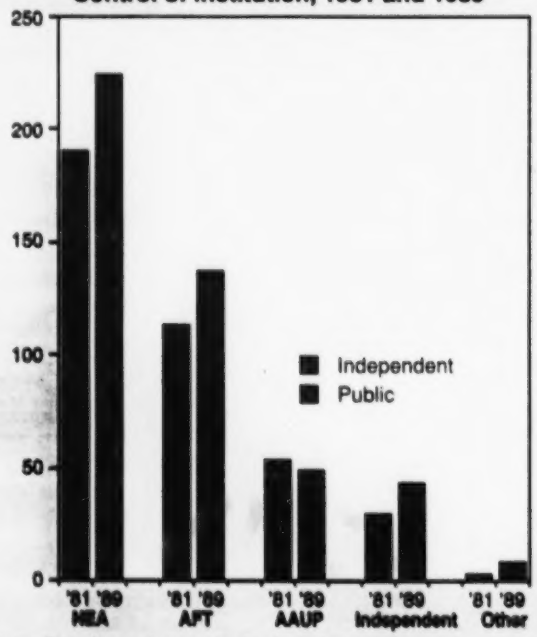
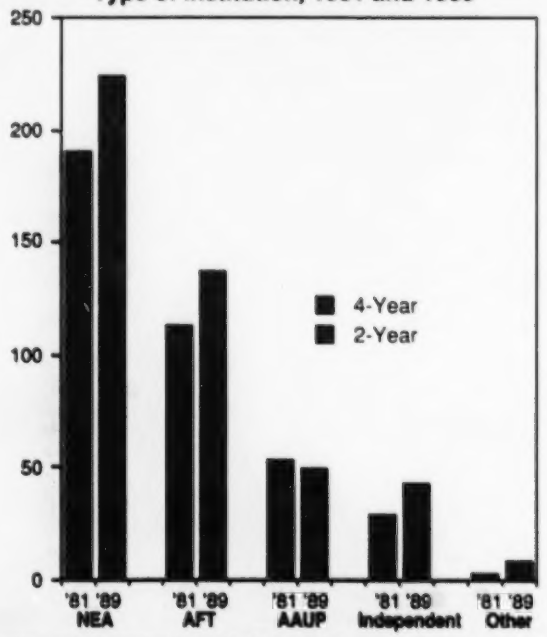



**Chart D**
**Number of Agreements, by Organization and Type of Institution, 1981 and 1989**




Note: Data for each organization includes agreements in which the organization cooperated with another organizing group. Thus in an agreement negotiated by a joint AAUP/NEA bargaining agent is counted in both the AAUP column and the NEA column.
Source: Joel M. Douglas, *Directory of Faculty Contracts and Bargaining Agents in Institutions of Higher Education* (New York: NCSCBHEP, 1990), p. 108.

*Yeshiva*, there was more successful activity among public institutions than among independent institutions. Most of the early certification elections and agreements were found in public two-year institutions.

- From 1975 to 1980, the number of agents at public institutions increased by about 40 percent, to 335.
- From 1980 to 1985, the increase slowed to about 10 percent, and in 1989 there were 396 agents at public institutions, 7 percent more than in 1985 (Douglas 1990, 110).

Thus, although the eighties saw a reduction in the rate of increase in successful organizing in the public sector, at the end of each five-year period there were more bargaining agents and agreements than at the beginning.

This growth among public institutions, at a time when there has been a drop in the number of bargaining agents in the independent sector, means that public institutions account for 86 percent of the collective bargaining agreements now, in contrast to their 80 percent share in 1980.

If there are no successful challenges in the independent sector to the *Yeshiva* ruling, and so long as that ruling is not applied in the public sector, it is likely that the public sector will continue to account for a larger and larger share of faculty collective bargaining.

## Independent Institutions

As noted above, bargaining units at independent institutions represent a very small part of the whole endeavor.

- In 1980, there were 86 agents and 69 collective bargaining agreements at independent institutions. In 1989, the comparable figures were 70 agents and 65 agreements (Douglas 1982, 58; Douglas 1990, 126A).
- Although about 15 percent of higher education's agents and agreements are at independent colleges and universities, only 5 percent of the faculty covered by collective bargaining are at such institutions.

These percentages will not increase, and may drop even further, though most of the decertification activity spurred by the *Yeshiva* case probably has taken place already. Such a decline will reflect the combined effects of increases in the public sector, possible closings of independent institutions that had negotiated collective bargaining agreements — there have been eight such closings since 1980 — and continued lack of organizing activity in the independent sector by the major organizing groups.

**Chart E**
**Faculty Represented, by Bargaining Agent and Type of Institution, 1989 (Unduplicated Count)**

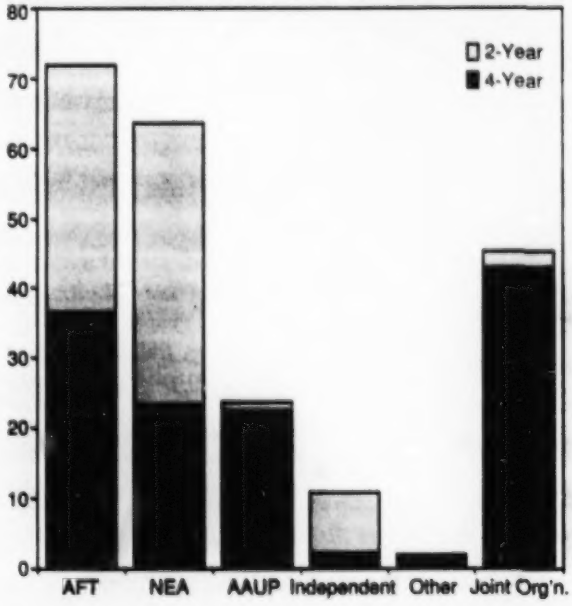
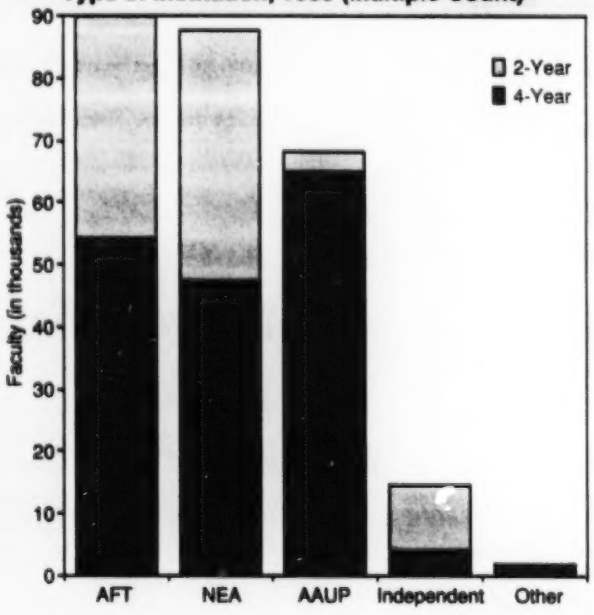



**Chart F**
**Faculty Represented, by Bargaining Agent and Type of Institution, 1989 (Multiple Count)**




Source: Joel M. Douglas, *Directory of Faculty Contracts and Bargaining Agents in Institutions of Higher Education* (New York: NCSCBHEP, 1990), p. 112.

## Four- and Two-year Institutions

- Over two-thirds of the collective bargaining agents and agreements in higher education are at two-year institutions (69 and 70 percent, respectively).

From the beginning of the collective bargaining movement in higher education, two-year institutions have played a leading role.

- In 1969, nearly all of the collective bargaining agreements were at two-year colleges.[2]
- In 1975, the agents and agreements at two-year colleges represented 63 and 69 percent of the totals, respectively, only marginally different from today's shares.
- However, only 40 percent of the faculty and other professionals represented by collective bargaining agents in 1989 were at community and other two-year colleges.

This results from the organization of large faculty bargaining units at major four-year institutions or systems, such as the state university systems in California, Florida, New York, and Pennsylvania. In those instances, a single bargaining agreement entered into by a four-year college or system may cover many campuses and thousands of faculty.[3]

## Geographic Concentration

Collective bargaining in higher education is highly concentrated geographically.

- Although there are bargaining units in 30 states, the District of Columbia, and Guam, over half (54 percent) of the agents and agreements are found in five states: California, New York, Michigan, Illinois, and New Jersey. Those states also account for the lion's share of campuses and faculty represented by bargaining agents.
- While these five states also account for a large part of higher education's total enrollment and full-time faculty (34 and 30 percent, respectively), their share of collective bargaining activity is considerably greater (NCES, *State Profiles*).
- If the next seven states with the largest number of collective bargaining agents (Pennsylvania, Washington, Oregon, Massachusetts, Wisconsin, Ohio, Kansas) are added to the first five to make an even "top dozen," they account for about four-fifths (82 percent) of all the bargaining agents, agreements, and faculty.
- The remaining jurisdictions (18 states, the District of Columbia, and Guam) have only 85 agents and 80 agreements, covering 18 percent of the faculty represented by bargaining agents (Douglas 1990, 3-69).
- Higher education collective bargaining is found in the industrialized Northeast, the Midwest and Far West (see figure A).
- Florida is the only southern state with collective bargaining, and its participation in terms of campuses and faculty is significant. The State University System of Florida was organized in the mid-seventies, and the unit now includes nine campuses and an estimated 8,000 faculty, full and part time.
- In the past, three other southern/southwestern states — Virginia, West Virginia, and New Mexico — had bargaining units, but these institutions closed or became decertified after the *Yeshiva* decision.
- It may be worth noting that Texas, the nation's third largest state in terms of enrollment and fourth largest in terms of the number of colleges and universities, has no higher education collective bargaining units. Even before the *Yeshiva* case put a chill on faculty organizing at independent institutions, none of the state's faculties at such institutions had opted for collective bargaining. More importantly, Texas has not enacted legislation to permit public sector collective bargaining.

Although laws specifically permitting organizing and collective bargaining in the public sector are not requisites for organizing at public institutions, they make it easier to do. All of the "top dozen" states have such enabling legislation, as do an additional 14 states. In another three states, the governing boards of one or more of the public institutions have adopted policies that enabled collective bargaining. Only Missouri is without such legislation/governing board action, yet with a public institution with a collective bargaining contract.

## Satisfaction with Collective Bargaining

Most faculty members at institutions that have collective bargaining agreements are satisfied with the quality of their union leadership.

- In response to an item on the faculty survey conducted by the U.S. Department of Education's National Center for Education Statistics (NCES) in 1988, 61 percent of the full-time faculty at all institutions where there was union organization indicated that they were "somewhat" or "very" satisfied with the quality of union leadership.
- At public two-year institutions with contracts, the comparable figure was 66 percent.
- Among the ranks of the regular part-time faculty at institutions with collective bargaining for such faculty, 74 percent were somewhat or very satis-

fied with the union leadership (NCES *Faculty*, 65, 73).[4] The higher satisfaction level at two-year institutions and among the part-time faculty may mean that organizers may pay more attention to those sectors of the professoriate in the future.

- Baruch Center data show 23 elected agents for adjunct faculty bargaining units. Of these, nineteen (83 percent) have been elected since 1979.

## Collective Bargaining and the Economy

- In the "top dozen" states — those with four-fifths of the collective bargaining agreements — three out of five of the bargaining agreements now in force were initiated in the seventies; one-third of them, in the latter half of that decade.

That was the decade in which average faculty salaries (in constant 1970 dollars) dropped from $13,284 to $10,844. Although there were many uncertainties during the seventies — a mid-decade recession, forecasts of dropping enrollment, retrenchment, increasing part-time hiring — a deterioration in relative income may have been a major factor in the growth in the number of collective bargaining agreements.

During the eighties, in the same top dozen states, concurrent with the slowly rising constant dollar value of faculty salaries, considerably fewer (less than 80) of the current collective bargaining agreements were initiated. One may argue that these data support the contention that the success of organizing for collective bargaining is inversely related to the economic condition of the professoriate — the worse the condition, the greater the success in organizing; the better the condition, the less success in organizing. Others point to the possible effect of diminishing returns, whereby early momentum becomes diffuse as more units become organized. Still others may hold that more important than economics in the eighties and matters of scale was the chilling effect of the *Yeshiva* decision at the beginning of the decade and the slowdown in the extension of public sector collective bargaining legislation.

## IMPLICATIONS

If there is an inverse relationship between economic condition and successful organizing, public institutions in states that authorize public sector collective bargaining may see increased organizing activity in the near future. Because of tight institutional budgets, salaries may not grow at a rate equal to or faster than inflation. And if faculties see their purchasing power and/or relative economic condition vis-a-vis other professions deteriorate significantly, they may become amenable to stronger collective action than in the past.

**Figure A**
**Collective Bargaining Agents, by State, 1989**

Source: Joel M. Douglas, *Directory of Faculty Contracts and Bargaining Agents in Institutions of Higher Education* (New York: NCSCBHEP, 1990), p. 3-69.

However, another interpretation of the same political and economic conditions could assume that faculties — faced with a generally deteriorating economy, calls for more efficiency in higher education, and relatively flat full-time equivalent enrollments — would "hunker down," do minimal boat rocking, and forget about collective bargaining for the immediate future. The future will probably see both scenarios played out.

Of course, what the results will be five or ten years from now cannot be known. For instance, watershed court and administrative decisions such as those that first permitted academic collective bargaining and then chilled it in the private sector could change the picture drastically.

Still another unknown factor that may influence the extent of organizing for collective bargaining is the future of legislation permitting organizing at public postsecondary institutions in those 24 states where it now does not exist. Passage of such legislation would likely spark additional activity on the part of the three major national higher education labor organizations.

However the economic and political situations evolve, today the extent of collective bargaining is such that it will continue to have an important presence in public institutions, especially in two-year colleges and in those states that have a significant organized labor tradition and presence.

## END NOTES

1. Faculty counts must be considered approximate, at best. The inclusion of part-time or adjunct faculty — whose numbers may change from term to term — contributes a degree of instability in each year's tally. Additionally, collective bargaining units are usually described in numbers of positions by rank, not by individual counts each semester or year. Furthermore, there is no formal periodic data-gathering system required by any national agency. Data collected by the Baruch Center, on which most of this analysis is based, are provided voluntarily by institutions and bargaining agents at the request of the Center.

   In its January 1990 report, the Baruch Center adjusted downward its count of agents, agreements, and faculty to exclude 19 agreements covering 17,000 employees because they were deemed to be "other than faculty" bargaining units. A new data base for this type of employee is being established to include units of teaching/graduate assistants, nursing staff, and other support staff. The 1990 report also revised downward selected summary data for 1988, but previous years' figures have not been adjusted and therefore are not strictly comparable to the most recent counts. The net result is that recent growth may have been slightly greater than that indicated by the published numbers.

   Even with the adjustment noted above, there are non-teaching professionals among the 217,400 persons represented by collective bargaining agents. A review of the 466 entries in the Baruch Center's 1990 report (Douglas 1990) permits the identification of 20 units whose titles indicate the inclusion of non-teaching professional personnel, e.g., non-teaching professionals, professional staff, research foundation, staff and chairmen. The personnel included in these units amounted to about 4 percent of the 217,400 total faculty and professionals represented by bargaining agents.
2. Baruch Center tables showing dates of initial contracts (Douglas 1990, 3-69) indicate that prior to 1970, 61 agreements were in effect, of which only 3 were at four-year institutions.
3. As noted earlier, if there are any two-year campuses in the system — as there are in the CUNY system — faculty may be credited to four-year colleges that should have been counted as part of the two-year sector.
4. The NCES report includes data from full- and part-time *regular* instructional faculty; not included were data from *temporary* (acting, adjunct, or visiting) instructional faculty.

## RESOURCES

1. The major national data source for collective bargaining in higher education is the National Center for the Study of Collective Bargaining in Higher Education and the Professions - Baruch College (NCSCBHEP), City University of New York, 17 Lexington Ave., Box 322, New York, NY 10010, (212) 387-1510, referred to in this report as the Baruch Center. It is "an impartial, nonprofit educational institution serving as a clearinghouse and forum for those engaged in collective bargaining (and the related process of grievance administration and arbitration) in colleges and universities and the professions" (Douglas 1990, cover 2). It publishes an annual directory of contracts that summarizes the year's collective bargaining activity and lists in tabular form data concerning current elected bargaining agents and agreements. The Center also sponsors an annual conference and publishes its proceedings.
2. The Academic Collective Bargaining Information Service (ACBIS) is affiliated with the University of the District of Columbia. It publishes a newsletter/fact sheet and offers seminars, consultation and research and information services. ACBIS, 1321 H Street, N.W., Suite M-7, Washington, DC 20005, (202) 727-2326.
3. The American Association of University Professors (AAUP) publishes *Academe* six times a year. From time to time it carries articles relating to collective bargaining; its annual issue on the economic status of the profession is a valuable source of faculty salary data. AAUP, Suite 500, 1012 14th Street, N.W., Washington, DC 20005, (202) 737-5900.

4. The American Federation of Teachers (AFT) publishes a monthly newspaper, *On Campus*, during the academic year that carries articles about collective bargaining in higher education and other educational issues. The AFT also publishes a quarterly, *The American Educator*, that carries an occasional article concerning collective bargaining in colleges and universities. AFT, 555 New Jersey Ave., N.W., Washington, DC 20001, (202) 879-4400.

5. The National Education Association (NEA) publishes a newsletter, *NEA Higher Education Advocate*, and a semi-annual journal, *Thought and Action*, directed to its members in higher education. These publications frequently address issues of collective bargaining from that organization's viewpoint. NEA also publishes an annual *NEA Almanac of Higher Education* that contains statistical data relating to higher education and lists NEA's collective bargaining agreements. NEA, 1201 16th Street, N.W., Washington, DC 20005, Communications Services: (202) 822-7200; Research (202) 822-7400.

6. The U.S. Department of Labor's Bureau of Labor Statistics publishes a journal, *Monthly Labor Review*, that frequently carries articles on collective bargaining in general. It lists major collective bargaining agreements about to expire and provides limited statistical data on industry groups, including state and local college and university workers. Bureau of Labor Statistics, Washington, DC 20212; (202) 523-1327.

7. The U.S. Department of Education's National Center for Education Statistics (NCES) conducted a National Survey of Postsecondary Faculty in 1988 (NSOPF-88) that contained several questions relating to collective bargaining. As of March 1991, three reports based on the data have been published: *Institutional Policies and Practices Regarding Faculty in Higher Education*; *A Descriptive Report of Academic Departments in Higher Education Institutions*; and *Faculty in Higher Education Institutions, 1988*. NCES has also made available data tapes and diskettes from the study, although privacy considerations have imposed some limitations on the kind of tabulations that can be obtained from them. Another similar faculty survey is to be conducted in 1992. For further information contact the Postsecondary Education Statistics Division, National Center for Education Statistics, U.S. Department of Education, 555 New Jersey Ave., N.W., Washington, DC 20208, (202) 219-1834.

   NCES includes a biennial survey of postsecondary education employees as a part of its Integrated Postsecondary Education Data System (IPEDS) which is conducted by its Institutional Studies Branch, 555 New Jersey Ave., NW, Washington, DC 20208-5652. This survey is basically a head count of postsecondary employees by type of position (managerial, teaching and research faculty, etc.). It contains no items dealing specifically with collective bargaining, but it will become important as the baseline on which faculty participation in collective bargaining will be measured. Tabulations from the survey appear in NCES' annual *Digest of Education Statistics*, which is available from the Superintendent of Documents, Government Printing Office, Washington, DC 20402-9371; (202) 783-3238.

## BIBLIOGRAPHY


1. Carr, Robert K. and Daniel K. Van Eyck. *Collective Bargaining Comes to the Campus*. Washington, D.C.: American Council on Education, 1973. This is an examination of the development of faculty collective bargaining in four-year institutions from 1969 through mid-1972. It is a valuable record of concerns about and expectations of that process in its early days.

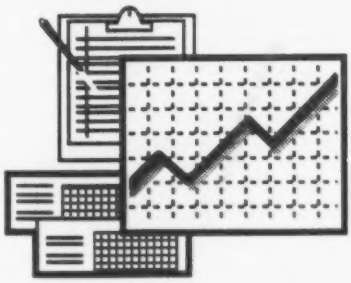
2. Douglas, Joel M. *Directory of Faculty Contracts and Bargaining Agents in Institutions of Higher Education*. New York: National Center for the Study of Collective Bargaining in Higher Education and the Professions (NCSCBHEP), Baruch College, CUNY, 1990. This is the 1990 edition of an annual publication that lists current (and decertified) collective bargaining units by institution and indicates the size, agent, date of the initial agreement, and current contract expiration date. Published since 1974, it also summarizes the year's academic collective bargaining activity.

3. National Center for Education Statistics (NCES), U.S. Department of Education. *Digest of Education Statistics, 1990*. Washington, D.C.: Government Printing Office, 1991. This is the 1990 edition of an annnual statistical publication containing hundreds of tables related to all levels of education. Especially pertinent to this subject are the tables showing faculty and staff counts.

4. _____. *Faculty in Higher Education Institutions, 1988*. Washington, D.C.: Government Printing Office, 1990. This contains basic tabulations, with brief discussion, from the faculty survey portion of NCES' 1988 National Study of Postsecondary Faculty (NSOPF-88).

5. _____. *Institutional Policies and Practices Regarding Faculty in Higher Education*. Washington, D.C.: Government Printing Office, 1990. This contains basic tabulations, with brief discussion, from the institutional academic officer portion of NCES' 1988 National Study of Postsecondary Faculty (NSOPF-88).

6. _____. *State Higher Education Profiles: 1985*. Washington, D.C.: Government Printing Office, 1987. A compilation of higher education statistics presented state by state. Included are figures on enrollment, faculty, and finance classified by control and type of institution. NCES plans to issue this publication biennially.



# THE ACE RESEARCH BRIEF SERIES

The Division of Policy Analysis and Research at the American Council on Education publishes the Research Brief Series, a collection of short papers exploring timely and pertinent issues in higher education. Current topics include trends in retention data and practices, academic collective bargaining, and international comparisons of higher education expenditures and participation. The series is published eight times a year and is available for $55 for one year, $100 for two years, or $140 for three years; foreign subscriptions are $70 per year. ACE members receive a 10 percent discount.

The **1990 Research Brief Series** also examined important topics, and copies of the following issues still are available:

- No. 1—Faculty Salaries in Perspective $7
- No. 2—Students Who Work: A Profile $7
- No. 3—Racial and Ethnic Trends in College Participation: 1976 to 1988 $7
- No. 4—Community and Junior Colleges: A Recent Profile $7
- No. 5—College Graduates in the Labor Market: Today and the Future $7
- No. 6—A Decade of Change: The Status of U.S. Women Doctorates, 1978-1988 $7
- No. 7—Enrollment by Age: Distinguishing the Numbers from the Rates $7
- No. 8—Campuses and Student Assessment $7
- Complete 1990 Series $50

To order, make checks payable to: American Council on Education
*All orders must be prepaid. No purchase orders accepted.*
Mail to: 1991 Research Briefs, American Council on Education,
One Dupont Circle, Suite 845, Washington, D.C. 20036.
(202) 939-9450

**Elaine El-Khawas, Vice President, Policy Analysis and Research**

**Cecilia Ottinger, Editor, Research Brief Series**


**American Council on Education**
**Executive Committee, 1991**

Robert L. Albright, President, Johnson C. Smith University, *Chair*
Hoke L. Smith, President, Towson State University, *Vice Chair*
Stanley O. Ikenberry, President, University of Illinois, *Immediate Past Chair*
Marilyn Schlack, President, Kalamazoo Valley Community College, *Secretary*
D. Bruce Johnstone, Chancellor, State University of New York
Johnnetta B. Cole, President, Spelman College
Thomas Gonzales, Chancellor, Seattle Community College
Robert H. Atwell, American Council on Education, *President*